

## **REMARKS / ARGUMENTS**

The rejection of Claims 1, 4 and 5 as being anticipated based upon the Thönnessen et al. '350 patent under 35 U.S.C. § 102(b) is respectfully traversed. In addition, the rejection of Claims 6, 7 and 10 as being obvious and unpatentable based upon the Thönnessen et al. '350 patent under 35 U.S.C. § 103(a) is also respectfully traversed. Further, the rejection of Claims 6, 7 and 10 as being obvious and unpatentable based upon the Thönnessen et al. '350 patent in view of the Haugh '502 patent under 35 U.S.C. § 103(a) is again respectfully traversed.

The Thönnessen et al. '350 patent discloses a low flammability pillow that includes a nonwoven block and a nonwoven roll having separate outer coverings. The two rolls are detachably connected by means of a restick adhesive applied in a strip form or by hook-and-loop fasteners.

The Thönnessen et al. '350 patent does not disclose or teach the following elements of Amended Independent Claim 1 as follows:

a) connecting means for removably connecting the bottom cushion outer covering to the bolster cushion outer covering for forming the bolstered pet bed; the connecting means includes a zipper member connected to both the bottom cushion outer covering and to the bolster cushion outer covering in an affixed and secure manner; and

b) the zipper member is affixed to a side of the bottom cushion outer covering having the bottom cushion therein, and to a side of the bolster cushion outer covering having the bolster side cushion therein, such that the zipper member securely holds in place the

bolster side cushion in a secure and upstanding manner relative to the bottom cushion and thereby forms an upstanding and raised headrest surface with respect to the bottom cushion for resting of a pet's head on the raised headrest surface.

There is **no teaching** in the Thönnessen patent that the separate outer coverings for the nonwoven block and the nonwoven roll are attached by a zipper member for firmly interlocking each of the separate outer coverings with each other, in order to form an upstanding and raised headrest surface for resting of a pet's head thereon. Thönnessen's connections of the restick adhesive strip or the hook-and-loop fastener would be easily separated by a dog or other pet, wherein the zipper member of the present invention **would not** separate and the outer coverings are **firmly affixed and secured** to each other in an upstanding manner that does not change position. The present invention's configuration and structure would be highly unlikely to separate by a pet when using the bolstered pet bed. Further, Thönnessen uses Velcro 14 to hold the roll 13 in place, but there is **no teaching** in Thönnessen's pillow of a zipper member to securely hold in place the nonwoven roll 13 in an upstanding manner relative to the nonwoven block, that does not change position.

Therefore, Claim 1 is patentable and should be allowed.

The Haugh '502 patent discloses a pet bed having an outer covering, a removable cushion disposed within the outer covering to form a cushioned bottom portion, a bolster removably affixed to the interior bottom portion, and a bolster removably affixed to the interior of the outer covering and disposed about at least a portion of the perimeter of the bottom portion. The bottom cushion is detachably connected to the bolster cushion by means of hook-and-loop fasteners, ties or straps with buckles or straps.

The Haugh '502 patent does not disclose or teach the following elements of Amended Independent Claim 1 as follows:

a) connecting means for removably connecting the bottom cushion outer covering to the bolster cushion outer covering for forming the bolstered pet bed; the connecting means includes a zipper member connected to both the bottom cushion outer covering and to the bolster cushion outer covering in an affixed and secure manner; and

b) the zipper member is affixed to a side of the bottom cushion outer covering having the bottom cushion therein, and to a side of the bolster cushion outer covering having the bolster side cushion therein, such that the zipper member securely holds in place the bolster side cushion in a secure and upstanding manner relative to the bottom cushion and thereby forms an upstanding and raised headrest surface with respect to the bottom cushion for resting of a pet's head on the raised headrest surface.

There is **no teaching** in the Haugh patent that the separate outer coverings for the bottom cushion and the bolster cushion are attached by a zipper member for firmly interlocking each of the separate outer coverings with each other, in order to form an upstanding and raised headrest surface for resting of a pet's head thereon. Haugh's connections of the ties, straps with buckles or the hook-and-loop fasteners would be easily separated by a dog or other pet, wherein the zipper member of the present invention **would not** separate and the outer coverings are firmly affixed and secured to each other in an upstanding manner that does not change position. The present invention's configuration and structure would be highly unlikely to separate by a pet when using the bolstered pet bed. Further, Haugh uses Velcro 9 to hold the bolster cushion 6 in place, but there is no teaching

in Haugh's pet bed of a zipper member to securely hold in place the bolster cushion 6 in an upstanding manner relative to the bottom cushion 4, that does not change position.

Therefore, Claim 1 is patentable and should be allowed.


### CONCLUSION

Accordingly, even if the prior art references of Thönnessen et al. '350 and Haugh '502 are combined, they do not teach or disclose the claimed features of Amended Independent Claim 1 and the Claims which depend therefrom.

For these reasons, it is respectfully submitted that applicant's Claim 1 and 3 to 12 are now allowable.

Respectfully submitted,

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Enclosure

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